WPMS No. 997 of 2003
Hon'ble P.C. Verma, J.

This writ petition is listed for admission today.

Heard Smt. Tahmeena Punwani, learned counsel for the petitioner and Sri V.K. Kohli, learned counsel for the respondents.

This writ petition has been filed by the petitioner against the order dated 25.08.2003 passed by Civil Judge (Sr. Div.), Dehradun in Misc. Case No. 22 of 2003 filed in regular Civil Suit No. 865/95 under Order-I Rule-10 of the Code of Civil Procedure.

After hearing learned counsel for both the parties and perusal of the order it reveals that the order impugned is revisable one and no writ petition could have been field directly ignoring the remedy available under the Code of Civil Procedure. No pleading is clinching on record to allow the short circuit method. Therefore, the writ petition field directly against the order, passed on application under Order-I Rule-10 of the Code of Civil Procedure, is liable to be dismissed. The petitioner may file revision, if so chooses.

The writ petition is dismissed in limine.

(P.C Verma, J.)

25.11.2003:
NCM: